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9 **BEFORE THE**
10 **BOARD OF REGISTERED NURSING**
11 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

12 In the Matter of the Accusation Against:

Case No. 2008-125

13 JUDYTH MARILEE CHAMPION
447 B East Bald Mtn.
14 Sonora, CA 95370

ACCUSATION

15 Registered Nurse License No. 411179

16 Respondent.
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18 Complainant alleges:

19 **PARTIES**

20 1. Ruth Ann Terry, M.P.H., R.N. ("Complainant") brings this Accusation
21 solely in her official capacity as the Executive Officer of the Board of Registered Nursing
22 ("Board"), Department of Consumer Affairs.

23 2. On or about March 31, 1987, the Board issued Registered Nurse License
24 Number 411179 to Judyth Marilee Champion ("Respondent"). Respondent's registered nurse
25 license was in full force and effect at all times relevant to the charges brought herein and will
26 expire on February 28, 2009, unless renewed.

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3. Business and Professions Code ("Code") section 2750 provides, in

The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

(1) Incompetence, or gross negligence in carrying out usual certified or licensed nursing functions . . .

5. California Code of Regulations, title 16, section ("Regulation") 1442

As used in Section 2761 of the code, 'gross negligence' includes an extreme departure from the standard of care which, under similar circumstances, would have ordinarily been exercised by a competent registered nurse. Such an extreme departure means the repeated failure to provide nursing care as required or failure to provide care or to exercise ordinary precaution in a single situation which the nurse knew, or should have known, could have jeopardized the client's health or life.

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6. Code section 125.3 provides, in pertinent part, that the Board may request

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7. Respondent is subject to disciplinary action pursuant to Code section 462.01(1), on the grounds of unprofessional conduct. On or about May 26, 2005, Respondent was on duty as a registered nurse at Toulumne General Hospital, Sonora, California. Respondent was guilty of gross negligence in her care of patient T. S. within the

1 meaning of Regulation 1442, as follows: Respondent administered IVP Dilantin to patient T. S.
2 without the use of a cardiac monitor (to determine the patient's cardiac rhythm and monitor it
3 throughout the administration of the drug, or to determine whether or not the drug was safe to
4 give prior to its administration to patient T.S.) and IV pump continuously during the infusion.
5 Further, Respondent failed to record the patient's vital signs before and during the infusion.

6 **SECOND CAUSE FOR DISCIPLINE**

7 **(Unprofessional Conduct)**


8 8. Respondent is subject to disciplinary action pursuant to Code section
9 2761, subdivision (a), in that on or about May 26, 2005, while employed and on duty as a
10 registered nurse at Toulumne General Hospital, Sonora, California, Respondent committed acts
11 constituting unprofessional conduct, as set forth in paragraph 7 above.

12 **PRAYER**

13 WHEREFORE, Complainant requests that a hearing be held on the matters herein
14 alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

- 15 1. Revoking or suspending Registered Nurse License Number 411179, issued
16 to Judyth Marilee Champion;
17 2. Ordering Judyth Marilee Champion to pay the Board of Registered
18 Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to
19 Business and Professions Code section 125.3;
20 3. Taking such other and further action as deemed necessary and proper.

21 DATED: 10/2/07.

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23 RUTH ANN TERRY, M.P.H., R.N.
24 Executive Officer
25 Board of Registered Nursing
26 Department of Consumer Affairs
27 State of California

28 Complainant